

IDAHO PEACE OFFICER STANDARDS & TRAINING PROCEDURE

12.14 OFFICER TWO-YEAR AGREEMENTS

A. General

Idaho Code [§19-5112](#) authorizes the POST Council (council) to execute an agreement with peace officers enrolled in schools or programs authorized by I.C. [§19-5109](#), whereby the officer promises to remain within the law enforcement profession (IDAPA [11.11.01.010.31](#)) in Idaho, on a full-time basis, in a position approved by the council for 2 years following graduation. Officers failing to maintain the required employment must repay their educational loan to the council for the full amount of money set forth in the agreement.

Officers eligible for a part-time basic certificate are subject to the same terms of agreement.

The dollar amount of the agreement is based on the actual cost per student of basic academy attendance and is approved by the council. Agreement amounts are updated periodically and approved by the council.

B. Definitions

“Academy assistant” (AA) means the technical records specialist assigned to each academy.

“Correspondence” means all communications, to include emails, letters, forms, memos, notes of telephone conversations, and any other type of communication regarding the agreement, to or from POST, the officer, or any representative of the officer.

“FS” means the financial specialist

“Payment plan” means an agreement between POST and any officer owing on a 2-year agreement, whereby the officer will make regular monthly payments of a mutually agreed upon amount until the obligation is paid in full.

“Third party collection action” means all efforts by the third party collection agency to collect debts on behalf of POST.

“Third party collection agency” means an independent professional debt collection entity contracted by POST to pursue collection of delinquent two-year agreement debts.

“TRS1” means the POST technical records specialist.

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C. Agreement Process

1. POST staff ensure that each officer attending a patrol, detention, emergency communications, adult correction, or felony probation and parole basic academy signs an EHF 12 14-01 POST Two Year Agreement on the first day of the academy.
2. The agreement contains the terms of the agreement with the amount due if the officer fails to complete the required 2 years of approved law enforcement employment:
 - a. the AA notarizes the agreement; and
 - b. POST staff scans the agreement into the officer's file.

D. Notice of Separation

1. POST receives a Notice of Separation/Change in Status form from a law enforcement agency when an officer leaves employment with that agency.
2. The technical records specialist 1 (TRS1) processes the notice of separation by:
 - a. scanning it into the officer's file
 - b. verifying the officer's graduation date from the basic academy; and
 - c. calculating the time of employment from graduation date to separation date.
3. If the time of employment from graduation date to separation date is less than the 2 years full-time (or 4,160 hours of service creditable to retirement eligibility), the repayment portion of the agreement is invoked. The TRS1 then:
 - a. notes the academy name and number, and the graduation date on the notice of separation; and
 - b. prints the notice of separation and forwards to the FS.

E. Determination of Amount Owed

1. If the officer was employed less than 12 months full-time (or 2,080 hours of service creditable to retirement eligibility), the full amount of the agreement is due.
2. If the officer was employed for more than 12 months but less than 24 months, the amount owed on the agreement is reduced proportionately for each month after graduation the officer was employed.

F. Billing for Two Year Agreements

1. 60 days after receipt of the notice of separation the FS:
 - a. Verifies the individual has not gained employment in a qualified position;
 - b. creates a 2-year agreement file and retains a copy of the notice of separation in it;
 - c. creates a customer account in the accounting system and generates the invoice;
 - d. makes a note in the officer's file documenting the academy type and session number
 - e. maintains a file copy of all correspondence with the officer or any representative of the officer;
 - f. forwards all correspondence to the TRS1 to scan into the officer's file; after scanning the TRS1 returns file to FS.

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2. The FS mails 2 copies of the EHF 12 14-02 Initial Letter of Notification, with a copy of the agreement and the invoice to the officer, one by certified mail and one by regular mail.

G. Payment in Full

1. When the officer responds with payment in full, the TRS1 records the payment in the accounting system and gives payment information to the FS.
2. The FS mails an EHF 12 14-03 Zero Balance – Paid In Full letter to the officer acknowledging receipt of the payment and closure of the account.

H. Waiver Requests

1. When a waiver request is received by POST, collection efforts are temporarily suspended until the waiver decision-making process is completed.
2. Waiver requests are handled by a hearing, recommendation and council approval process.
3. When a waiver request is approved by the council, the Management Assistant (MA) sends an email to the Financial Specialist (FS), stating the officer's name and amount waived.
4. The FS credits the officer's account for the amount waived.
5. The FS prints a customer statement to mail to the officer along with a completed EHF 12 14-04 Current Balance –Waived Statement letter.
6. The FS retains a record of all 2-year agreement amounts waived, for distribution of any necessary 1099-C forms as required by the IRS, no later than January 31st.
7. When a waiver request is denied by the council, the collection process resumes:
 - a. the FS mails the EHF 12 14-05 Reinstatement after PC Denial letter to the officer, with a copy of the current statement of account by both certified and regular mail; and
 - b. collection efforts begin again at section G. Payment in Full or I. Negotiating Repayment Agreements, as appropriate.

I. Negotiating Repayment Agreements

1. When an officer contacts POST to set up a payment plan, the FS negotiates the payment plan with the officer:
 - a. typically for the total amount owed, divided into 24 equal monthly payments;
 - b. the FS may negotiate a lower monthly amount to facilitate payment;
 - c. the typical minimum payment is \$50 per month, but may be negotiated lower.
2. The Business Operations Specialist approves all repayment plans of less than \$25.00 per month.
3. The FS mails (by both certified and regular mail) or emails the officer an EHF 12 14-06a Monthly Payment Arrangement letter and a Monthly Repayment Agreement EHF 12 14-06b to sign and return.
4. The FS maintains documentation of all payment plans on the 2 YR Spreadsheet.

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J. Officer Fails to Respond to Initial Contact

1. When an officer fails to respond to the initial contact within the 30-day timeline, an EHF 12 14-07 30-Day Collection Referral letter is sent by both certified and regular mail.
2. If the officer then contacts the FS, the procedure begins again at section G. Payment in Full; or I. Negotiating Repayment Agreements, as appropriate.
3. When an officer fails to respond to the EHF 12 14-07 30-Day Collection Referral letter, the FS explores all information for alternate contact information. The OPR manager can often help locate this information:
 - a. if an alternate address is found, the procedure begins again at Section F. Billing for Two-Year Agreements, item 2; or
 - b. if no alternate address can be determined, the FS compiles a file for referral for third party collection action.

K. Refusal to Repay Two-Year Agreement Debt

1. When an officer responds with a refusal to make any payment and does not submit a waiver request, the FS compiles a file for referral to a third party collection agency and mails to the officer a EHF 12 14-07 30-Day Collection Referral; and
2. The FS completes the referral action.

L. Officer Fails to Respond to All Contacts

1. When the officer fails to acknowledge a 2-year agreement debt within 3 years from the date of initial notification, the debt is considered past the statute of limitations for collection by POST:
 - a. accounts past the statute of limitations time frame are not referred to a collection agency;
 - b. collection efforts by POST cease.
2. The account remains open, the balance is not written off and if at any point the officer acknowledges the debt, the 3-year time period begins again and collection efforts resume.
3. POST's 3-year statute of limitations does not apply to collection efforts by a third party collection agency.

M. Payment Processing

1. The TRS1 records all payments in the accounting system.
2. The FS mails out statements on the first business day following the close of business on the 25th of each month.
3. When an account is paid in full, the TRS1 notifies the FS.
4. The FS mails the officer the appropriate zero balance letter.

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5. When an officer fails to make a monthly payment, the FS sends by both certified and regular mail an EHF 12 14-07 30 Day Collection Referral letter, and collection efforts resume at item J.2. of this procedure;
6. The FS updates the Customer Posting Group and makes notes in the accounting system as necessary.

N. Return to Employment

1. When an officer owing an amount on a 2-year agreement debt returns to employment in an Idaho law enforcement agency (defined in IDAPA 11.11.01. 010.31) on a full-time basis, collection efforts are stopped until the officer either completes the 2-year employment obligation or separates from employment. The FS verifies and updates employment status every six months for all accounts on hold for employment.
2. All qualifying positions after graduation from a basic academy are included in determining months of service:
 - a. if the 2-year obligation is met the FS credits the officer's account for the full remaining amount due;
 - b. the FS mails the officer an EHF 12 14-08 Zero Balance Fulfilled letter.
3. If the officer separates employment without meeting the 2-year obligation, the FS re-calculates the months of service to determine any applicable reduction to the total owed as detailed in section E.
Determination of amount owed:
 - a. If the amount owed is reduced by months of service, the FS calculates and posts the amount to be credited to the officer's account; and
 - b. the FS reactivates the account, mails an EHF 12 14-09 Reinstatement After Separation letter to the officer, and resumes the repayment process at the appropriate section of this procedure.